

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**DEBORAH K. RYAN,**

**Plaintiff,**

**v.**

**MICHAEL J. ASTRUE,  
Commissioner of Social Security,**

**Defendant.**

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**CIVIL NO. 3:09-CV-506-RJC-DSC**

**ORDER**

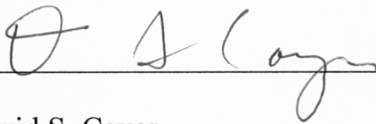
**THIS MATTER** is before the Court on Plaintiff's Motion for Attorney's Fees, filed on December 23, 2010 (document #23). The parties have reached agreement on this matter entitling Plaintiff to \$4,018.95 in attorney's fees, which provides for full settlement in satisfaction of any and all claims for attorney's fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). The parties further agree that pursuant to Ratliff, the fee award will first be subject to offset of any debt Plaintiff may owe to the United States. After the Court issues an order accepting the agreement and awarding EAJA fees to Plaintiff, the Commissioner will determine within 30 days whether Plaintiff owes a debt to the United States. If so, the debt will be satisfied first, and if any funds remain, they will be made payable to Plaintiff and mailed to Plaintiff's counsel. The parties further agree that an order awarding EAJA fees should also provide that if the United States Department of the Treasury reports to the Commissioner that the Plaintiff does not owe a federal debt, the Government will exercise its discretion and honor the assignment of EAJA fees, and pay the awarded fees directly to Plaintiff's counsel.

**NOW THEREFORE, IT IS ORDERED:**

1. Plaintiff shall be paid the sum of \$4,018.95 in EAJA fees.
2. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.
3. The Clerk is directed to serve copies of this Order to counsel for the parties; and to the Honorable Robert J. Conrad, Jr.

**SO ORDERED.**

Signed: January 10, 2011



David S. Cayer  
United States Magistrate Judge

